

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW LENNON KEHS,

Defendant.

CR 14-43-M-DLC

ORDER

Before the Court is Defendant Matthew Lennon Kehs' Motion to Terminate Supervised Release Pursuant to 18 U.S.C. § 5383(e). (Doc. 145.) Kehs began serving his five-year term of supervised release on July 6, 2018, and his performance on supervision has been undisputedly exceptional. (*See generally* Doc. 146 at 4-6.)

Although Kehs has successfully completed more than one year of supervised release, as is required for termination by 18 U.S.C. § 3583(e)(1), it is the practice of this Court to require defendants to complete two-thirds of their supervised release terms before granting early termination. Thus, if the instant motion were filed at a time when Kehs had completed two-thirds of his term of supervised release and displayed the same record of success on supervision, it would be the Court's strong inclination to grant it. However, Kehs is about ten months shy of the two-thirds mark.

Additionally, while a defendant need not demonstrate undue hardship to warrant early termination, it is worth noting that Kehs has done very well on supervised release so far and there is no indication that continued supervision will prohibit him from succeeding going forward.

Accordingly, IT IS ORDERED that Kehs' motion (Doc. 145) is DENIED SUBJECT TO RENEWAL next July, when Kehs will have completed two-thirds of his five-year term of supervised release. Based on Kehs' performance thus far, and his supervising Probation Officer's confidence in his continued success, the Court has little doubt that it will consider his next motion favorably.

DATED this 9th day of October, 2020.



Dana L. Christensen, District Judge
United States District Court